

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**JOSEPH PLEASANT,**

**Petitioner,**

*- against -*

**SUPERINTENDENT THOMAS GRIFFIN,**

**Respondent.**

**18 CV 10319 (CS) (LMS)**

**ORDER**

**THE HONORABLE LISA MARGARET SMITH, U.S.M.J.<sup>1</sup>**

The undersigned is in receipt of Petitioner's declaration dated April 30, 2020, in which Petitioner both informs the Court that the state court has denied Petitioner's petition for a writ of error coram nobis and requests a copy of the latest docket sheet. Docket No. 21.<sup>2</sup> On May 27, 2020, Respondent filed a letter, likewise informing the Court that the New York Court of Appeals denied Petitioner's application for leave to appeal the denial of his petition for a writ of error coram nobis and that the stay of this habeas proceeding should therefore be lifted. Docket No. 23. In an Order filed on August 2, 2019, the undersigned granted Petitioner's motion to stay this habeas proceeding and hold the Petition in abeyance while Petitioner exhausted the claims set forth in Petitioner's coram nobis petition. Docket No. 20. Having been advised that Petitioner has exhausted the claims in his petition for a writ of error coram nobis, the Court hereby lifts the stay in this case. In accordance with the undersigned's prior Order, the petition for habeas corpus is deemed amended to include the claims raised in the coram nobis petition,

---

<sup>1</sup> The Honorable Judge Cathy Seibel referred this matter to the undersigned on February 12, 2019. Docket No. 5.

<sup>2</sup> Another mailing, including a duplicate of the declaration as well as a certificate of service, was filed as Docket No. 22.

and Respondent shall serve and file his answer to those additional claims **within 30 days** of the date of this Order. Petitioner shall serve and file his reply papers, if any, with respect to the entire habeas petition, as amended, **within 30 days** from the date on which he is served with Respondent's answer to the additional claims. Respondent is further directed to include with his answer a copy of the state court filings and decisions that relate to the petition for a writ of error coram nobis.

Chambers has mailed a copy of this Order and the latest docket sheet to Pro Se Petitioner.

Dated: May 28, 2020  
White Plains, New York

**SO ORDERED.**



---

Lisa Margaret Smith  
United States Magistrate Judge  
Southern District of New York